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DIRECTOR

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DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 23, 2017

TO: The Honorable Senator Gilbert S.C. Keith-Agaran, Chair
Senate Committee on Judiciary and Labor

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 21 SD1 – RELATING TO CHILD CARE**

Hearing: Thursday, February 23, 2017, 9:15 a.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) acknowledges the efforts of the Legislature and community advocates to ensure the health and safety of children in care and offers comments and concerns. DHS respectfully defers to the respective County police departments and Prosecutors' Offices regarding enforcement and prosecution.

PURPOSE: The purpose of the bill is to increase the monetary penalties and establishes criminal penalties for violating the laws related to child care facilities.

The primary focus of DHS child care licensing program is on the health and safety of all children in care. Having enough safeguards in place to ensure children's health and safety in different child care settings, while maintaining a sufficient statewide inventory of quality affordable child care is a difficult balance. Access to affordable, quality child care supports parents' and caregivers' ability to work, and quality child care experiences support a child's social emotional development to be successful in grade school and beyond.

DHS provides child care subsidies to parents and caregivers, who in turn pay the child care provider of their choice. The state does not have institutional child care; Hawaii's

regulated child care is provided by private businesses, large and small. Hawaii also has a large utilization of unregulated child care, friends, family or neighbors caring for children.

Under current DHS administrative rules, the following violations may be punishable by a fine and may also be subject to the denial, suspension, or revocation of a license or registration:

- a) Operation of a child care facility without a license or registration;
- b) Caring for more children than allowed by the facility's license or registration;
- c) Violation of the staff-child ratios;
- d) Improperly certifying staff credentials;
- e) Failure to comply with timely request for criminal history records check;
- f) Allowing conditions to exist which constitute an imminent danger to the health, welfare, or safety of the children in care; or
- g) Injuries to children due to staff/caregiver's negligence.

Under the proposed bill, *any* violation of Part VIII of Chapter 346 other than the above requirements would be a class C felony and subject to the increased penalties of \$5,000 for the first violation and \$10,000 for the second and each succeeding violation. A violation of administrative record keeping would fall under the enhanced penalty, as the bill is written. DHS requests clarification of the definitions of "intentionally", "knowingly" and "recklessly" violating Part VIII of Chapter 346.

DHS is concerned that imposing a class C felony and increased fines for any violation will impact those who are currently or who are willing to be child care providers, decreasing capacity of licensed and registered child care for Hawaii's families and children. In fiscal year (FY) 2011, there were 656 registered family child care homes. In FY 2016, there were 482 registered family child care homes, a decrease of more than 25%. This is a national trend as well.

Existing criminal laws and applicable civil torts already exist to address actions or omissions that would lead to prosecution or relief through civil damages. Adding higher fines and criminal penalties, which may satisfy a need for deterrents, does not necessarily improve the quality or increase availability of safe and healthy child care in the state.

Procedurally, DHS has additional concerns. Currently, DHS does not refer violations of Part VIII of Chapter 346 to the County Prosecutors' Offices nor does DHS have authority to conduct criminal investigations in these matters. Therefore, DHS would need clarification on the referral

process, whether DHS would simply refer the matter to the County police departments or Prosecutors' Offices to conduct such investigations for any violations of Part VIII of Chapter 346. If so, the impact of the proposed bill on the resources of the County police departments and Prosecutors' Offices should be considered. A related issue is the standard of proof that DHS would be expected to follow if the penalties are so severe.

We are listening to the concerns of our community and continue to examine how to improve our systems to be more effective and efficient in serving Hawai'i's children and their families.

Thank you for the opportunity to provide comments on this bill.

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Subject: Submitted testimony for SB21 on Feb 23, 2017 09:15AM
Date: Thursday, February 16, 2017 8:18:16 AM

SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Dorr	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law will institutionalize much-needed pressure on providers to adhere to high standards of quality in their practices. And just in case these comments are being read aloud: This bill is Boss, no fudge. Pass-it-pass-it-bo-bass-it, banana-fana-fo-fassit, me-my-mo-mass-it, pass it.

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Date: Thursday, February 16, 2017 1:10:16 PM

SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Vorsino	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Lee	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. I am a resident of Hawaii and an active voter. I am a mother of two and a resident of Kaneohe. I am a parent who has had to rely on day care for the care of my children. I am a concerned citizen, and I am shocked that such common sense accountability is not already in place!

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Date: Friday, February 17, 2017 10:30:07 AM

SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Jani	Individual	Support	No

Comments: I am a working mother of two young children and a resident of Manoa Valley. As a parent who must rely on outside childcare providers to care for my little ones, I am writing to urge you to support SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to establish accountability and protect the lives and well-being of our keiki in the care of others.

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I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death of children. This law is necessary to protect the lives and well-being of our keiki in the care of others. I am a parent who has had to rely on day care for the care of my children.

From: mailinglist@capitol.hawaii.gov
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Subject: Submitted testimony for SB21 on Feb 23, 2017 09:15AM
Date: Friday, February 17, 2017 4:41:22 PM

SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Trevino	Individual	Support	No

Comments: I am a resident of Honolulu and an active voter I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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Date: Friday, February 17, 2017 6:39:48 PM

SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Flanagan	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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Subject: Submitted testimony for SB21 on Feb 23, 2017 09:15AM
Date: Monday, February 20, 2017 7:53:38 PM

SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Meyer	Individual	Support	No

Comments: I'm a Hawaii resident and strongly support SB21 which is urgently needed to make our child care safer. Unfortunately there are unscrupulous child care providers operating with impunity under the current Hawaii system. This has resulted in serious injuries to and deaths of our beloved keiki. Please help us to better protect our children from these people by passing a law that will increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. Aloha, Carl Meyer

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Date: Tuesday, February 21, 2017 5:41:16 PM

SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Carol Nowak	Individual	Support	No

Comments:

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Date: Thursday, February 16, 2017 8:56:19 AM

SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Christina Leopold	Individual	Support	No

Comments: Good morning, As a mother of a child who attended state-licensed daycare until recently (closed due to DHS investigation!) I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. We need to ensure that if something happens while children are in the care of providers, that it will NEVER happen to another child.

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SB21

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Christine Umipeg-Apilado	Individual	Support	No

Comments:

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Date: Friday, February 17, 2017 9:59:05 AM

SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Claire Townsend	Individual	Support	No

Comments: I am writing in strong, wholehearted support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. It is heart-breaking that these reforms have only become a priority after the publicity of recent events. Please do not let this opportunity pass only to put more keiki at risk in the future. I am a resident of Hawai'i, active voter, and a working mother of an infant in daycare. I urge you to pass this necessary, common sense legislation.

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I would like to start off by introducing myself. I am the mother of Triton Forsyth who passed away while in the care of a State licensed child care provider on June 24, 2014. Although it's too late for Wiley, Triton and Zoe; I want to ensure no other family needs to go through the pain that our families suffer. There may be more babies out there that have passed away, but these are the babies I am aware of.

I have two older daughters Rhiannon age 7 and Kaitlynn age 6. When we were expecting our first born I went in search of a babysitter. I work full time along with my husband and my parents worked full time jobs as well. So we were not fortunate to have our family watch our babies. It took me months to find our first sitter. She couldn't have grandchildren of her own, so she did this because she was passionate about babies and this was her way of filling that void in her life. Due to unforeseen circumstances she passed away when Kaitlynn was 2 years old. At that time I was fortunate to have the ability to send her to Preschool, rather than looking for another babysitter.

A couple years passed and we were blessed to have been pregnant with Triton. When we found out it was a boy my husband was ecstatic, as any father would be to have a son. I went in search of a new babysitter. It took months interviewing over 20 licensed caregivers and not finding any of them fitting the needs of my baby. I then came across Triton's sitter who was licensed and cared for children for over 15 years. I thought since she was licensed that meant she knew about safe sleep practices and had training on how to care for infants and toddlers, but after Triton passed away I found out that was not true. They are not trained on how to care for infants to ensure safe sleep practices or to have mandatory safe sleep classes annually. In addition there was nothing in the law that we could hold her accountable for killing our son because it was "an accident". Which in our eyes it was nothing short of neglect. It was such a shock to us that there was nothing we could do to get justice for our son. No one helps you through next steps either. We just had to research and guess what next steps to take.

The day this all happened, it was my second day back to work and I got the call no parent ever wants to receive. I got a call from a police officer who advised me to go to Queen's Medical West regarding my son Triton. I asked what happen and he said that he would explain when I got there and to please drive safely. It was the longest drive of my life thinking what may have happened and telling myself don't think bad thoughts, it may just be a bad cut/bruise. When I got there the nurse would not tell me what happen and at that moment I knew he was gone and something horrible happened. They took me into a private room and told me that he was found by the babysitter upstairs on a comforter folded into quarters face down and that she went to check on him an hour after putting him down and he was sleeping; then went back up an hour later to find him unresponsive with blood coming out of his nose. She then called 911 and administered CPR until Emergency Services arrived.

My two daughters were in school and my husband was on a business trip in Alaska. They called my mom and asked that she pick up my daughters and come to the hospital because it was almost the time they needed to be picked up before getting charged for picking them up late. She didn't want them to see him in the hospital and was going to stop by and then go and pick them up. She called the school and they were willing to watch the girls although it was almost past the time we were supposed to pick them up.

After seeing my son for the last time and saying our prayers, we left the hospital and my mom went to pick up the girls and I went home to get some things to sleep at her house. When they got home my older daughter came bursting through the door and said "Triton! Where are you Triton? (Looking in his playpen and running up stairs to look in his crib) Is he hiding from us? Where is he?" I sat them down to let them know that Triton was in heaven with the angels.

I fully support the proposal to increase the monetary penalties and establishing criminal penalties for all child care facilities, if this was in place there is a possibility that she would have followed the rules and regulations and Wiley, Triton and Zoe would still be here today. Although it is too late for our babies, putting this into State law will prevent the needless deaths of any other precious baby. If we do not put this law into place precious babies will continue to be at risk.

Clarice Forsyth

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Date: Thursday, February 16, 2017 10:10:41 AM

SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
corey cherry	Individual	Support	No

Comments: I support this measure and in light of all christen and parents who rely on daycare.

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia A Cobb-Adams	Individual	Support	No

Comments: I believe this bill is needed to ensure the safety of our keiki and hold childcare providers accountable for their actions.

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My name is Cynthia King and I am an individual citizen providing testimony in support of SB21. I support the increase of civil penalties for day care providers who violate state laws pertaining to the safety. And I believe it is a necessity to establish misdemeanor and/or felony charges for those who recklessly violate state laws pertaining to child safety in state licensed day care.

My son Wiley Muir, was not quite four months old when he passed away under the care of a State licensed day care provider, Therese Manu-Lee in February 2014. Manu-Lee provided conflicting stories about the circumstances surrounding his death. We now know that she was caring more than the legal number of children at the time of Wiley's death. We also now know that she had two adult men living in the house who were not approved by DHS to be present with the children. They were her sons, but they had not undergone the standard background checks and approvals. Given that her mother ran a state licensed day care prior to her taking it over, she was well aware of the requirements to disclose their presence. Other parents noted that she would at times leave her house to run errands, leaving the children with an assistant and/or her sons.

Following Wiley's death, Manu-Lee's State license was suspended while DHS supposedly conducted an investigation regarding the circumstances of this death. Despite the license suspension, Manu-Lee opened up a day care at another location and continued watching children. Over this same period, Manu-Lee took deposits from parents, and did not disclose that her license was suspended. She did not provide child care services to those parents, and many never received their money back. Despite complaints about this behavior being reported to DHS, her license was reinstated once the investigation regarding Wiley's death was closed.

In July of 2015, Manu-Lee was shut down once again. Based on a tip, DHS completed a surprise inspection of her home, and she was caught with 14 children in her care, 8 of which were infants. According to her records, a total of 18 children were receiving care, though they were not all present at the time of the inspection. Her license was again suspended, this time on the grounds of physical neglect of children, and I understand that I was supposed to be revoked. All of this information was verified to me by a DHS case worker.

But the reason my husband and I learned all of this, is not because DHS informed us. We were never called and told that the woman under whose care my baby passed away, was found to be warehousing children. The reason I found out, is that I saw her in a new job. I saw her caring for an elderly person. The State Attorney General's office has since verified to me that Therese Manu-Lee was indeed employed by Wilson Home Care. This is a trusted assisted living home health care service for the elderly on Oahu. A company that runs criminal and abuse background checks. But, after my baby died under suspicious circumstances in her care, after she committing fraud innumerable times (and eventually filed for bankruptcy), and after she was caught neglecting four times the legal number of infants, Therese Manu-Lee still has nothing to show for it on her record.

I am asking you to change this incredibly broken system, and instill real accountability. Our high quality day care providers will not fear this bill. DHS makes the argument that they do not want to reduce the availability of day care providers, and fear that this legislation may result in that.

I would argue that providers who may be discouraged by this legislation for caring for children under a state license, are not the type of people we should have caring for our keiki. Our high quality care providers will welcome this bill, because they love children and care about the safety of children above all else. I am not asserting that all day care providers in Hawaii are like Therese Man-Lee. But if there are any people out there who make choices that put our children at risk, whether intentionally or out of sheer ignorance, they absolutely deserve to incur penalties, and be charged with a misdemeanor or class C felony.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Rubinoff	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. It is shameful that such legislation doesn't already exist, and terribly sad that we might have prevented the deaths of our youngest children by taking this action sooner.

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SB21

Submitted on: 2/15/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David Itano	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. I am a father of two wonderful daughters and want them to be able to raise their children in a safe and secure situation with the best child care options possible. I am a resident of Hawaii and an active voter.

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David Sischo	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death of children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Derrick Apilado	Individual	Support	No

Comments:

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Date: Sunday, February 19, 2017 8:32:54 PM

SB21

Submitted on: 2/19/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
emily king	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/15/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Emma Yuen	Individual	Support	No

Comments:

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Date: Thursday, February 16, 2017 6:52:48 AM

SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jane Fujita	Individual	Support	No

Comments:

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jarrod Quon	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
jasmine siador	Individual	Support	No

Comments: SB21 (Criminal charges) - I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. I am a resident of Hawaii and an active voter. I am a mother of two and a resident of Nuuanu. I am a parent who has had to rely on day care for the care of my children. I am a concerned citizen, and I am shocked that such common sense accountability is not already in place.

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SB21

Submitted on: 2/18/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Askins	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Graham	Individual	Support	No

Comments:

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Misaki	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
jeff muir	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Kiyoko Camp	Individual	Support	No

Comments: I am a parent who has had to rely on day care for the care of my children and I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. Quite honestly, I thought something like this was already in place and am shocked that there is so little accountability when it comes to caring for our kids.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Prior	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. Feel free to add something personal like: I am a resident of Hawaii and an active voter. I am a mother of two and a resident of Palolo. I am a parent who has had to rely on day care for the care of my children. I am a concerned citizen, and I am shocked that such common sense accountability is not already in place.

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SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Hayden	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
John Vetter	Individual	Support	No

Comments:

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Josh Atwood	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Josh Stanbro	Individual	Support	No

Comments:

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Meyer	Individual	Support	No

Comments: I am a concerned Mother of two and I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death of any child. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Thompson	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death of a child. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Flanagan	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death of children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Franklin	Individual	Support	No

Comments: I am a concerned citizen and I am shocked that such common sense accountability is not already in place.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly Kozar	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth King	Individual	Support	No

Comments: I am a grandparent of Wiley Muir, a child who needlessly died on his third day at a facility where the caretakers provided conflicted testimony about what happened, and which the subsequent autopsy failed to support claims (several versions were given) about how the baby was positioned when he died. This information was gleaned haphazardly by the authorities and wasn't followed up on nor pursued in a reasonable time, presumably because strict measures seemed unwarranted. Enough of this failure to protect our babies, who are real people loved by real people. Please put some spine into the law to make people accountable for the lives they are paid to protect. Thank you for considering this comment. Words cannot convey how sad Wiley's death was for his parents, and every other family member.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kimberly Fujita	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kimi Makaiau	Individual	Support	No

Comments: Aloha, I am a Honolulu resident, active voter, and mother of a beautiful 14 month old son. I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Krista Anderson	Individual	Support	No

Comments: I am a mother of a 3 year old, a resident of Waimea, Kauai and an active voter. I rely on day care to protect my child while I work. I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Teranishi	Individual	Support	No

Comments: I am a concerned mother am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren McDowell	Individual	Support	No

Comments: I am a resident of Hawaii and an active voter and I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. As a concerned citizen, I am shocked that such common sense accountability is not already in place.

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SB21

Submitted on: 2/15/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Leah Laramee	Individual	Support	No

Comments: As a concerned resident of Hawaii I strongly support this bill.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lloyd Oshiro	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others. I have personally been victimized by someone who deviously misplaced my trust and I want to ensure that this never happens to anyone ever again!

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SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Marc Lambert	Individual	Support	No

Comments: I am a concerned citizen, and I am shocked that such common sense accountability is not already in place.

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Koehler	Individual	Support	No

Comments: I am a resident of Kalaheo and I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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Date: Saturday, February 18, 2017 7:31:27 PM

SB21

Submitted on: 2/18/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Marilyn King	Individual	Support	No

Comments: I strongly support SB21 SD1 which would increase civil penalties establish Felony charges for State licensed day care providers who violate day care laws and endanger, injure, or cause the death of children. We need to protect Hawaii's babies.

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Maureen O'Connor	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death of children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Coy	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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Date: Friday, February 17, 2017 9:53:37 AM

SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Rietfors	Individual	Support	No

Comments: I am a Waimanalo resident, mother of 2 young children. The importance of safe, accountable, verifiably responsible childcare is so very important, especially when I have to be away at work all day. I am shocked that such common sense accountability is not already in place and I support this bill! Thank you, ~Melissa Rietfors

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Richardson	Individual	Support	No

Comments: To: Hawaii Senators From: Michael Richardson / 2241 Noah St. Honolulu
Date: February 20, 2017 My name is Michael Richardson, a resident of Hawaii, parent of 4 young children, and active voter. I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for individuals who violate day care laws and endanger or injure children as a result. This law is necessary to protect the lives and well-being of Hawaii's precious and vulnerable keiki. Sincerely, Michael Richardson, Hawaii Resident and Active Voter

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SB21

Submitted on: 2/15/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Connolly	Individual	Support	No

Comments: I support this bill to increase the monetary penalties and establish criminal penalties for violating the laws relating to child care facilities. This bill is long overdue and holds child care providers accountable for their actions for the care of our most vulnerable keiki (ages 0- 4).

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SB21

Submitted on: 2/15/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Support	No

Comments: We need this bill to protect our children and the professional early child educators. Please pass SB21.

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
min tuyay	Individual	Support	No

Comments:

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SB21

Submitted on: 2/15/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Atwood	Individual	Support	No

Comments: As a working mother who needs to rely on day care for the care of my son, I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Chatterson	Individual	Support	No

Comments: Aloha Chair and Committee Members, I am resident of Manoa writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. It is important that working parents can trust day care providers. Cases over the past few years have instilled doubt in State licensed providers. Please pass the bill to protect our keiki. Aloha, Nicole Chatterson

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Noelani Takayesu	Individual	Support	No

Comments: My name is Noelani Takayesu and I am a mother to a young daughter and I am expecting another daughter in April of this year. While preparing to send my daughter to a group childcare home in 2015, I encountered a Department of Human Services licensed childcare provider who routinely engaged deceptive, unsafe and unsanitary practices within her home while caring for children. This provider was found to have up to 17 children in her care at any given time. Upon further investigating this provider and engaging in a lengthy and unfruitful bankruptcy proceeding, I was shocked and utterly dismayed that there was no recourse affected parents could pursue. This provider has never had to answer for the death of 4 month old Wiley King while he was in her care. In addition, This childcare provider went on to defraud 28 families of over \$43,000. My husband and I were significantly affected by the gross negligence of this provider and the lack of oversight of Department of Human Services. SB21 is a necessary step that must be taken to ensure that individuals who prey on parents of young children do not go unpunished when they put our children in harm's way. There is an expectation that when the Department of Human Services awards a license to childcare facilities that the provider(s) will follow the laws of the State of Hawaii that are in place for many reasons. Failure to do so should be met with increased monetary penalties and when applicable criminal penalties. As an active voter I firmly believe that childcare providers can and should be held to a high standard when they are entrusted with the care and safety of our most vulnerable population, the keiki of Hawaii. I thank you for your time and thoughtful consideration of SB21.

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Krushelnycky	Individual	Support	No

Comments: I strongly support SB21, and am very happy to see the state working on legislation that will address serious current oversights regarding the regulation and accountability of professional child care providers. Establishment of more severe penalties and felony charges are needed to address care givers that violate accepted standards and take advantage of the system for personal gain.

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SB21

Submitted on: 2/18/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Camp	Individual	Support	No

Comments: I support SB21.

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Rosemary Malvey	Individual	Comments Only	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of all children in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Sally Askins	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Cianciola	Individual	Comments Only	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/22/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Stanley Sato	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to help protect the lives and well-being of our keiki in the care of others. In 2015, my close friend and peer of 20 years who I now supervise, lost her infant to what appears to be neglect by the day care provider. She has and continues to suffer emotional pain that most people cannot even begin to imagine. Her pain radiates to everyone around her and as much as we try, our support to her only goes so far. Passing SB21 would go a long way knowing that our government and leaders actually care about what has happened to too many families in HI and are taking steps to reduce the risk of this type of tragedy. Mahalo for your support.

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SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Benson	Individual	Support	No

Comments: It is shocking that such common sense accountability is not already in place in Hawaii. As a mother and advocate for early care reform I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/18/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Montgomery & Anita Manning	Individual	Support	No

Comments: We are writing to support SB21 to increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. As more keiki are in the care of non-family and the activity is a business, the danger of cheating in was that increase income and decrease safety are there. Penalties are the control on greed. Mahalo

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SB21

Submitted on: 2/20/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
susan henness	Individual	Support	No

Comments: It is essential we use laws and enforcement to protect our most precious citizens. Our children are our future. Thank you.

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SB21

Submitted on: 2/21/2017

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Submitted By	Organization	Testifier Position	Present at Hearing
Troy Wurtz	Individual	Support	No

Comments:

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SB21

Submitted on: 2/17/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Meguro	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/21/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Umipeg-Wurtz	Individual	Support	No

Comments: I am a Hawaii voter, a mother of now 2. My 6 month old daughter Zoe Wurtz died on July 21, 2015 in the care of her baby sitter. I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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SB21

Submitted on: 2/16/2017

Testimony for JDL on Feb 23, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Yvonne Rodgers	Individual	Support	No

Comments: I am writing in strong support of SB21, which would increase civil penalties and establish felony charges for State licensed day care providers who violate day care laws and endanger, injure or cause the death children. This law is necessary to protect the lives and well-being of our keiki in the care of others.

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